Remarks

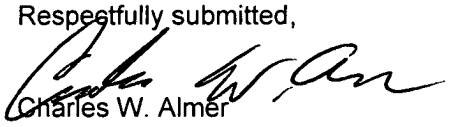
Claims 48 – 62, 65 and 66 were rejected under 35 U.S.C. 112, first paragraph. It is respectfully submitted that there is support in the specification for film formation at ambient temperatures. The present application was filed via the PCT and the PCT publication provides sufficient support for the limitation. On page 10, line 6 the publication states that "...the glass transition temperature Tg...of film formation of the redispersible particles..." On line 28 the publication states that according to a preferred embodiment the Tg value of the outer phase is as high as possible and simultaneously the Tg value of the inner phase is as low as possible. Page 11, line 1 states that "If very rapid film formation is desired, then preferably the inner phase has a very low Tg-value, preferably below 50°C." Further, Example 11 teaches how films were made at room temperature to measure insolubles as indication of crosslinking. Generally, film formation is at equal or somewhat lower temperature than the Tg of the polymer, depending upon the stabilizing system. Based on the above, it is respectfully submitted that claims 48 – 62, 65 and 66 are patentable under 35 U.S.C. 112. first paragraph.

Claims 48, 50, 51, 53 – 58, 60 – 62, 65 and 66 were rejected as anticipated under 35 U.S.C. 102(b) by U.S. Patent No. 4,235,982, issued to Maslanka. It is respectfully submitted that the present invention is substantially different than the disclosure of Maslanka. As set forth above, it is generally understood by those skilled in the art that the minimum film forming temperatures ("MFFT") of aqueous dispersions are about the same or somewhat lower than the Tg. At high temperatures, for example 75°C or- higher, the water evaporation can be so fast that it does not allow the latex particles to coalesce. Thus at these high temperatures it is much less likely that the latices form a film. However, a water redispersible powder can be formed upon drying since film formation does not occur. For redispersible powders which film-form at ambient conditions, while they film-form from their aqueous state it is essential that they do not film-form in the powder stage or during the spray drying process, which most typically occurs at higher temperatures. Otherwise, they would not be redispersible as they had already been film-formed. Such behavior is especially important for systems with a lower Tg/MFFT. For instance, when surfactant stabilized latex particles with Tg below 50°C, such as at room temperature, are spray

dried they immediately film-form and thus are no longer redispersible in water. In contrast to the present invention, Maslanka provides no indication as to a manner to achieve the redispersible powder of the present invention. Further, as the Tg range of Maslanka is substantially higher than that of the present invention, as amended, the disclosure of Maslanka is clearly different than that of the present invention. As anticipation under 35 U.S.C. 102 requires identity of invention, in view of the differences between Maslanka and the present invention, it is respectfully submitted that claims 48, 50. 51, 53 – 58, 60 - 62, 65 and 66 are patentable under 35 U.S.C. 102(b) over Maslanka

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance. If there are any issues that the Examiner wishes to discuss, he is invited to contact the undersigned attorney at the telephone number set forth below.

Respectfully submitted,



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